

ESTTA Tracking number: **ESTTA778495**

Filing date: **10/24/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91224818
Party	Defendant Luciano Sztulman M.D., Inc.
Correspondence Address	ROBERT SALTER SALTER & MICHAELSON 321 SOUTH MAIN ST SUITE 500 PROVIDENCE, RI 02903 UNITED STATES rsalter@saltermichaelson.com
Submission	Answer
Filer's Name	Robert Salter
Filer's e-mail	rsalter@saltermichaelson.com
Signature	/Robert Salter/
Date	10/24/2016
Attachments	answer to second amended opposition.pdf(20729 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Trademark Trial and Appeal Board

Market America, Inc. :
Opposer, : Opposition
#91224818
vs. : TM:
VITAMINDFUL
Luciano Sztulman M.D.,Inc. : Serial #86/469018
Applicant. :

In answer to the second amended Notice of Opposition filed by Market America, Inc. on May 24, 2016, Applicant states as follows, the paragraphs hereof being numbered to correspond with the like-numbered paragraphs of the second amended Notice of Opposition.

1. Admitted.
2. Applicant is without sufficient knowledge to form a belief concerning the allegations of Paragraph 2 of the second amended Notice of Opposition and therefore denies same and leaves Opposer to its proofs.

WHEREFORE, Applicant prays that the Opposition be dismissed with prejudice and that Applicant's registration be granted.

Luciano Sztulman M.D., Inc.
By its Attorneys:
Robert S. Salter, Esq.
SALTER & MICHAELSON
21 Park St., Suite 402
Attleboro, MA. 02703
Tel : 401.421.3141
Fax : 401.861.1953
email : rsalter@saltermichaelson.com

October 24, 2016

CERTIFICATE OF SERVICE

This will hereby certify that a copy of the foregoing Answer to second Amended Notice of Opposition has been served on Opposer's attorney on the 24th day of October, 2016, by transmitting a copy thereof via first-class mail, postage prepaid, as follows:

Clement D. Erhardt, Esq.
Market America, Inc.
1302 Pleasant Ridge Road
Greensboro, North Carolina 27409

Certifier